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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 LYLE CONWAY,

12 Defendant.

CASE NO. CR14-5135BHS

ORDER

13 This matter comes before the Court on the Defendant's unopposed motion for an order
14 continuing the pre-trial motions due date and trial date. The Court, having considered the motion
15 and declaration filed by defense counsel and the Defendant's speedy trial waiver, makes the
16 following findings of fact and conclusions of law:

17 1. Defense counsel recently provided the government with additional information,
18 including the names of witnesses that could potentially exculpate the Defendant.

19 2. The defense needs additional time to explore all relevant issues and defenses
20 applicable to the case, which would make it unreasonable to expect adequate preparation for
21 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
22 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
2 the defendant the reasonable time for effective preparation his defense, to explore resolution of
3 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §
4 3161(h)(7)(B)(iv).

5 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
6 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

7 5. The ends of justice served by granting this continuance outweigh the best interests of
8 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

9 6. Defendant waived speedy trial through January 30, 2015.

10 NOW, THEREFORE, IT IS HEREBY ORDERED

11 That the trial date is continued from September 2, 2014, to December 9, 2014, at 9:00
12 a.m. Pretrial Conference is set for December 1, 2014, at 1:30 p.m. Pretrial motions are due by
13 October 28, 2014. The resulting period of delay from July 24, 2014, to December 9, 2014, is
14 hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

15 Dated this 11th day of August, 2014.

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18 BENJAMIN H. SETTLE
19 United States District Judge
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